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**CENTRAL FAX CENTER**

Attorney Docket No.: Enz-7(P)(C3)

**FEB 09 2006****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: Jannis Stavrianopoulos et al.  
Serial No.: 08/486,070 Group Art Unit: 1631  
Filed: June 7, 1995 Primary Exam'r: John S. Brusca  
For: **NUCLEIC ACIDS FIXED OR IMMOBILIZED TO NON-POROUS  
SOLID SUPPORT, AND SYSTEM, ARRAY AND NON-POROUS  
GLASS OR PLASTIC SOLID SUPPORT COMPRISING SUCH FIXED  
OR IMMOBILIZED NUCLEIC ACIDS**

Confirmation No.:

***CERTIFICATE OF FACSIMILE TRANSMISSION***

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

I hereby certify that the attached correspondence (total of 66 pages including this sheet) comprising:

Request Under 37 C.F.R. §1.48(a) To Correct Inventorship  
including Statement Of Elazar Rabbani Under 37 C.F.R. §1.48(a) [Exhibit A-1 pg];  
Declaration For Utility Or Design Patent Application [Exhibit B-4 pp];  
Consent of Assignee To Correct Inventorship [Exhibit C-2 pp &  
subExhibits 1 (14 pp) & 2 (4 pp)];  
September 11, 1985 Affidavit Under 37 C.F.R. §1.47 [Exhibit D-23 pp];  
December 12, 1985 PTO Decision Accepting Papers Filed Under 37  
C.F.R. 1.47(a) [Exhibit E-3 pp]; and  
August 26, 1993 PTO Letter (37 C.F.R. 1.47(a) Status) [Exhibit F-2 pp].

was sent to the United States Patent and Trademark Office by telefax to (571) 273-8300.

Respectfully submitted,



Date: February 9, 2006

Ronald C. Fedus,  
Reg. No. 32,567  
Attorney for Applicants  
Enzo Life Sciences, Inc.  
c/o Enzo Biochem, Inc.  
527 Madison Avenue, 9th Floor  
New York, NY 10022-4304  
Telephone (212) 583-0100  
Facsimile (212) 583-0150

Enz-7(P)(C3)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE****RECEIVED  
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Applicant(s): Stavrianopoulos et al. )  
Serial No.: 08/486,070 )  
Filed: June 7, 1995 )  
For: NUCLEIC ACIDS FIXED OR IMMOBILIZED TO )  
NON-POROUS SOLID SUPPORT, AND )  
SYSTEM, ARRAY AND NON-POROUS GLASS )  
OR PLASTIC SOLID SUPPORT COMPRISING )  
SUCH FIXED OR IMMOBILIZED NUCLEIC )  
ACIDS (As Previously Amended) )

Group Art Unit: 1631

Primary Exam'r: John S. Brusca

527 Madison Avenue, 9<sup>th</sup> Floor  
New York, NY 10022-4304  
February 9, 2006

**FILED VIA FACSIMILE TRANSMISSION**  
**TO: (571) 273-8300**

Mail Stop No-Fee Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**REQUEST UNDER 37 C.F.R. §1.48(a) TO CORRECT INVENTORSHIP**

Sir,

Pursuant to 37 C.F.R. § 1.48(a), it is respectfully requested that the following individual be added as an inventor in the above-identified patent application.


Elazar Rabbani, New York, NY

Enz-7(P)(C3)

Stavrianopoulos et al., Serial No. 08/486,070 (Filed June 7, 1995)  
Page 2 [Request To Correct Inventorship Under 37 C.F.R. §1.48(a)]

**CERTIFICATE OF TRANSMISSION**

I hereby certify that this paper (Request Under 37 C.F.R. §1.48(a) To Correct Inventorship) (along with any documents referred to as attached or enclosed) is being facsimile transmitted to the United States Patent and Trademarks (Fax No. 571-273-8300) on February 9, 2006.

  
Ronald C. Fedus  
Reg. No. 32,567

FEB 9 2006  
Date

The inventorship error occurred without any deceptive intention on the part of the omitted inventor. Accordingly, Applicants respectfully request that the inventorship of the above-identified patent application be amended to include all of the actual inventors and in the order set forth below:

- (1) Elazar Rabbani;
- (2) Jannis G. Stavrianopolous;
- (3) Dollie Kirtikar;
- (4) Kenneth H. Johnston; and
- (5) Barbara E. Thalenfeld.

Pursuant to 37 C.F.R. § 1.48(a), the following papers are provided herewith:

- (1) a statement from each inventor being added as an inventor that the error in inventorship occurred without deceptive intention on his part;<sup>1</sup>
  - (2) a declaration by the actual inventors as required by 37 C.F.R. § 1.63;<sup>2</sup>
- and (3) a written consent of the assignee, Enzo Life Sciences, Inc.<sup>3</sup>

<sup>1</sup> The title of the added inventor's statement is "Statement of Elazar Rabbani Under 37 C.F.R. §1.48(a) and it is provided as Exhibit A to this Request.

<sup>2</sup> Provided as Exhibit B to this Request.

<sup>3</sup> The title of the assignee's consent is "Consent of Assignee to Correct Inventorship in Patent Application," and it is provided as Exhibit C to this Request.

Enz-7(P)(C3)

Stavrianopoulos et al., Serial No. 08/486,070 (Filed June 7, 1995)  
Page 3 [Request To Correct Inventorship Under 37 C.F.R. § 1.48(a)]

**Request for Withdrawal of 37 C.F.R. § 1.47 Status**

On September 11, 1985, Applicants submitted an affidavit under 37 C.F.R. § 1.47, establishing a joint inventor's refusal to sign the declaration in Application Ser. No. 06/732,374.<sup>4</sup> Applicants' affidavit is appended herein as **Exhibit D**. On December 12, 1985, the United States Patent & Trademark Office ("PTO") indicated that the affidavit and related papers were accepted and found in compliance with 35 U.S.C. § 116, second paragraph and 37 C.F.R. § 1.47(a). The December 12, 1985 Communication stated that the application must be returned to the Office of the Assistant Commissioner for Patents after mailing of a "Notice of Allowability" or "Notice of Allowance and Issue Fee Due" for review of its 1.47(a) status. A copy of the December 12, 1985 PTO Communication is appended herewith as **Exhibit E**.

On August 26, 1993, Applicants received a communication from the PTO in connection with U.S. Patent Application Serial No. 07/967,646, maintaining the 1.47(a) status. The August 26, 1993 PTO Communication indicated that the application must be returned to the Office of the Assistant Commissioner for Patents after mailing of a "Notice of Allowance and Issue Fee Due" for review of the 1.47(a) status. A copy of the August 26, 1993 PTO Communication is provided herewith as **Exhibit F**.

Applicants submit herewith as **Exhibit B** an executed declaration that includes all of the inventors of the above-captioned application. Pursuant to 37 C.F.R. § 1.47(a), the non-signing inventor, Kenneth H. Johnston, has joined in the

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<sup>4</sup> The above-captioned application (08/486,070) is a continuation of U.S. Patent Application Serial No. 07/967,646 (abandoned), filed on October 28, 1992, which is a continuation of U.S. Patent Application Serial No. 07/607,347 (abandoned), filed on October 30, 1990. Serial No. 07/607,347 is a continuation of U.S. Patent Application Serial No. 07/385,986 (filed on July 20, 1989), now U.S. Patent No. 4,994,373 (issued February 19, 1991). Serial No. 07/385,986 is a continuation of the above-mentioned Serial No. 06/732,374 (abandoned), filed on May 9, 1985. The latter is a continuation-in-part of U.S. Patent Application Serial No. 06/461,469 (abandoned), filed on January 21, 1983.

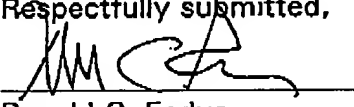
Enz-7(P)(C3)

Stavrianopoulos et al., Serial No. 08/486,070 (Filed June 7, 1995)  
Page 4 [Request To Correct Inventorship Under 37 C.F.R. §1.48(a)]

present application by executing the declaration in compliance with §1.63.  
Accordingly, Applicants respectfully request withdrawal of the 1.47(a) status of the above-identified application.

The fee under the provisions of 37 C.F.R. §1.17(i) for filing this Request is \$130.00. The Patent and Trademark Office is hereby authorized to charge Deposit Account No. 05-1135 for the requisite fee of \$130.00 as set forth in 37 C.F.R. §1.17(i). No additional fees are believed to be required in connection with this submission. Should any other fee or fees be required, however, authorization is hereby given to charge the amount of any such other fee(s) to Deposit Account No. 05-1135, or to credit any overpayment thereto.

Date FEB 9 2006

Respectfully submitted,  
By:   
Ronald C. Fedus  
Registration No. 32,567  
Attorney for Applicants

ENZO LIFE SCIENCES, INC.  
(formerly Enzo Diagnostics, Inc.)  
c/o Enzo Biochem, Inc.  
527 Madison Avenue, 9<sup>th</sup> Floor  
New York, NY 10022-4314  
Tel.: (212) 583-0100  
Fax.: (212) 583-0150

Enz-7(P)(C3)

Stavrianopoulos et al., Serial No. 08/486,070 (Filed June 7, 1995)  
Exhibit A [Request Under 37 C.F.R. §1.48(a) To Correct Inventorship  
-- February 9, 2006]

# EXHIBIT A

Enz-7(P)(C3)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE****RECEIVED  
CENTRAL FAX CENTER****FEB 09 2006**

Applicant(s): Stavrianopoulos et al. )  
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Group Art Unit: 1631

Primary Exam'r: John S. Brusca

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Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**STATEMENT OF ELAZAR RABBANI UNDER 37 C.F.R. §1.48(a)**

Sir:

Pursuant to 37 C.F.R. § 1.48(a), it is respectfully requested that I, Elazar Rabbani, residing at 69 Fifth Avenue, New York, New York 10003, be added as an inventor the above-captioned application.

This Inventorship error occurred without any deceptive intention on my part.

Respectfully submitted,

Dated: Feb 9 2006

By:

  
Elazar Rabbani

\*\*\*\*\*

Enz-7(P)(C3)

Stavrianopoulos et al., Serial No. 08/486,070 (Filed June 7, 1995)  
Exhibit B [Request Under 37 C.F.R. §1.48(a) To Correct Inventorship  
-- February 9, 2006]

# EXHIBIT B

Enz-7(P)(C3)

PTO/SB/01 (10-05)

Approved for use through 07/31/2008, OMB 0851-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

**DECLARATION FOR UTILITY OR  
DESIGN  
PATENT APPLICATION  
(37 CFR 1.63)**

☐

Declaration  
Submitted  
With Initial  
Filing

OR

☒

Declaration  
Submitted after Initial  
Filing (surcharge  
(37 CFR 1.16 (e))  
required)

Attorney Docket  
Number

Enz-7 (P) (C3)

First Named Inventor

Rabbani et al.

COMPLETE IF KNOWN

Application Number

08/486,070

Filing Date

June 7, 1995

Art Unit

1631

Examiner Name

John S. Brusca

I hereby declare that:

Each inventor's residence, mailing address, and citizenship are as stated below next to their name.

I believe the inventor(s) named below to be the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**Nucleic Acids Fixed or Immobilized to Non-Porous Solid Support, and System,  
Array and Non-Porous Glass or Plastic Solid Support Comprising Such Fixed  
or Immobilized Nucleic Acids**

*(Title of the Invention)*

the specification of which

☐

is attached hereto

OR

☒

was filed on (MM/DD/YYYY)

06/07/1995

as United States Application Number or PCT International

Application Number

08/486,070

and was amended on (MM/DD/YYYY)

(if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent, inventor's or plant breeder's rights certificate(s), or any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached?	
			<input type="checkbox"/>	YES <input type="checkbox"/>	NO <input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

☐

Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.

[Page 1 of 2]

This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 21 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance completing the form, call 1-800-PTO-9199 and select option 2.


PTO/SB/01 (10-05)

Approved for use through 07/31/2006. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**DECLARATION -- Utility or Design Patent Application**

Direct all correspondence to:		<input checked="" type="checkbox"/> The address associated with Customer Number:	28171		OR	<input type="checkbox"/> Correspondence address below
Name						
Address						
City			State		ZIP	
Country		Telephone		Email		
<p align="center"><b>WARNING:</b></p> <p>Petitioner/applicant is cautioned to avoid submitting personal information in documents filed in a patent application that may contribute to identity theft. Personal information such as social security numbers, bank account numbers, or credit card numbers (other than a check or credit card authorization form PTO-2038 submitted for payment purposes) is never required by the USPTO to support a petition or an application. If this type of personal information is included in documents submitted to the USPTO, petitioners/applicants should consider redacting such personal information from the documents before submitting them to the USPTO. Petitioner/applicant is advised that the record of a patent application is available to the public after publication of the application (unless a non-publication request in compliance with 37 CFR 1.213(a) is made in the application) or issuance of a patent. Furthermore, the record from an abandoned application may also be available to the public if the application is referenced in a published application or an issued patent (see 37 CFR 1.14). Checks and credit card authorization forms PTO-2038 submitted for payment purposes are not retained in the application file and therefore are not publicly available.</p> <p>I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.</p>						
NAME OF SOLE OR FIRST INVENTOR:			<input checked="" type="checkbox"/> A petition has been filed for this unsigned inventor			
Given Name (first and middle (if any))			Family Name or Surname			
Elazar			Rabbani			
Inventor's Signature					Date	
					Feb 9 2006	
Residence: City		State		Country		Citizenship
New York		NY		USA		United States
Mailing Address						
69 Fifth Avenue						
City		State		Zip		Country
New York		NY		10003		United States
<input checked="" type="checkbox"/> Additional inventors or a legal representative are being named on the 2 supplemental sheet(s) PTO/SB/02A or 02LR attached hereto.						

[Page 2 of 2]

PTO/SB/02A (09-04)

Approved for use through 07/31/2006. OMB 0851-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

DECLARATION		ADDITIONAL INVENTOR(S) Supplemental Sheet	
		Page <u>1</u> of <u>2</u>	
Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle (if any))		Family Name or Surname	
Jannis G.		Stavrianopoulos	
Inventor's Signature <i>[Signature]</i>		Date <i>2/3/06</i>	
Residence: City	Bayshore	State	NY
		Country	USA
United States Citizenship			
Mailing Address			
99 South Clinton Avenue			
City	Bayshore	State	NY
		Zip	11706
		Country	USA
Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle (if any))		Family Name or Surname	
Dollie		Kirtikar	
Inventor's Signature <i>[Signature]</i>		Date <i>02/03/06</i>	
Residence: City	Fresh Meadows	State	NY
		Country	USA
United States Citizenship			
Mailing Address			
71-30 162nd Street (Unit #3)			
City	Fresh Meadows	State	NY
		Zip	11373
		Country	USA
Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle (if any))		Family Name or Surname	
Kenneth H.		Johnston	
Inventor's Signature <i>[Signature]</i>		Date <i>27-Feb 2006</i>	
Residence: City	New Orleans	State	LA
		Country	USA
United Kingdom Citizenship Canada			
Mailing Address			
2139 Esplanade			
City	New Orleans	State	LA
		Zip	70119
		Country	USA

This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 21 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

PTO/SB/02A (09-04)

Approved for use through 07/31/2008. OMB 0851-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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<b>DECLARATION</b>	<b>ADDITIONAL INVENTOR(S)</b> Supplemental Sheet	Page <u>2</u> of <u>2</u>
--------------------	---	---------------------------

<b>Name of Additional Joint Inventor, if any:</b>		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle (if any))		Family Name or Surname	
Barbara E.		Thalenfeld	
Inventor's Signature <i>Barbara E. Thalenfeld</i>		Date <i>Feb 3, 2006</i>	
Residence: City	New York	State	NY
		Country	USA
United States Citizenship			
360 East 72nd Street			
Mailing Address			
City	New York	State	NY
		Zip	10021
		Country	USA
<b>Name of Additional Joint Inventor, if any:</b>		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle (if any))		Family Name or Surname	
Inventor's Signature		Date	
Residence: City		State	
		Country	
United States Citizenship			
Mailing Address			
City		State	
		Zip	
		Country	
<b>Name of Additional Joint Inventor, if any:</b>		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle (if any))		Family Name or Surname	
Inventor's Signature		Date	
Residence: City		State	
		Country	
United States Citizenship			
Mailing Address			
City		State	
		Zip	
		Country	

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If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

Stavrianopoulos et al., Serial No. 08/486,070 (Filed June 7, 1995)  
Exhibit C [Request Under 37 C.F.R. §1.48(a) To Correct Inventorship  
-- February 9, 2006]

# EXHIBIT C

Enz-7(P)(C3)

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Group Art Unit: 1631

Primary Exam'r: John S. Brusca

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Mail Stop -- Non-Fee Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**CONSENT OF ASSIGNEE TO CORRECT INVENTORSHIP  
IN PATENT APPLICATION**

Sir:

ENZO LIFE SCIENCES, INC., is the assignee of the entire right, title and interest to the above-referenced patent application by virtue of an assignment filed in a predecessor application, U.S. Patent Application Serial No. 06/347,347 (filed October 30, 1990) and recorded with the United States Patent and Trademark Office Assignment Division on April 17, 1991, at Reel 5673, Frame 0274. The aforementioned assignment names ENZO DIAGNOSTICS, INC. as the assignee.

Enz-7(P)(C3)

Stavrianopoulos et al., Serial No. 08/486,070 (Filed June 7, 1995)  
Page 2 [Consent Of Assignee To Correct Inventorship In Patent Application]

The name ENZO DIAGNOSTICS, INC. was changed to ENZO LIFE SCIENCES, INC. by a Certificate of Amendment Of Incorporation Of ENZO DIAGNOSTICS, INC. signed on December 21, 2001 and duly recorded on December 28, 2001 with the State of New York, Department of State, Division Of Corporations And State Records. A Notice Of Recordation Of Assignment Document noting a Change of Name from ENZO DIAGNOSTICS, INC. to ENZO LIFE SCIENCES, INC. was recorded on February 7, 2006 with the United States Patent and Trademark Office Assignment Division at Reel 017133, Frame 0718.

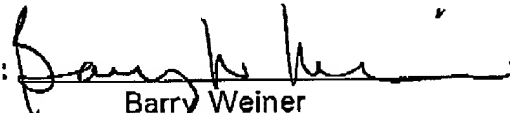
ENZO LIFE SCIENCES, INC., as assignee of the entire right, title, and interest, hereby consents to the amendment of the inventorship of this patent application as requested in the accompanying papers.

Respectfully submitted,

ENZO LIFE SCIENCES, INC.

Date: 2/9/06

By:



Barry Weiner  
Vice-President

\* \* \* \* \*

Enz-7(P)(C3)

Stavrianopoulos et al., Serial No. 08/486,070 (Filed June 7, 1995)  
Exhibit 1 [Consent Of Assignee To Correct Inventorship In Patent Application  
-- February 9, 2006]

# EXHIBIT 1

Enz-7(P)(C3)

FEB. 9. 2006 7:01PM

ENZO BIOCHEM



Patent and Trademark Of NO. 8030 P. 17

ASSISTANT SECRETARY AND COMMISSIONER  
OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

TO: ENZO DIAGNOSTICS, INC.  
40 OAK DRIVE  
SYOSSET, NY 11791

RECEIVED

SEP 05 1991

ELAINE P. BRENNER

2/3  
9/5/91

UNITED STATES PATENT AND TRADEMARK OFFICE  
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

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THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS  
AVAILABLE AT THE U.S. PATENT AND TRADEMARK OFFICE ON THE REEL AND FRAME  
NUMBER REFERENCED BELOW. A DIGEST OF THE DOCUMENT HAS ALSO BEEN MADE  
AND APPEARS IN THE OFFICE'S RECORDS AS SHOWN:

ASSIGNOR: 001 ENZO BIOCHEM, INC., A CORP. OF NY DOC DATE: 04/04/91

RECORDATION DATE: 04/17/91 NUMBER OF PAGES 010 REEL/FRAME 5673/0274

DIGEST: ASSIGNMENT OF ASSIGNORS INTEREST

ASSIGNEE: 501 ENZO DIAGNOSTICS, INC., 40 OAK DRIVE, SYOSSET, NY 11791.  
A CORP. OF NY

SERIAL NUMBER 6-575396 FILING DATE 01/30/84  
PATENT NUMBER 4,707,440 ISSUE DATE 11/17/87

SERIAL NUMBER 7-043568 FILING DATE 04/28/87  
PATENT NUMBER 4,843,122 ISSUE DATE 06/27/89

SERIAL NUMBER 7-304748 FILING DATE 01/31/89  
PATENT NUMBER ISSUE DATE 00/00/00

SERIAL NUMBER 7-314995 FILING DATE 02/24/89  
PATENT NUMBER ISSUE DATE 00/00/00

SERIAL NUMBER 7-342196 FILING DATE 04/21/89  
PATENT NUMBER ISSUE DATE 00/00/00

SERIAL NUMBER 7-316385 FILING DATE 02/27/89  
PATENT NUMBER ISSUE DATE 00/00/00

SERIAL NUMBER 7-459030 FILING DATE 12/29/89  
PATENT NUMBER ISSUE DATE 00/00/00

SERIAL NUMBER 7-633730 FILING DATE 12/24/90

EXPRESS MAIL CERTIFICATE

"Express Mail" Label No. GB743016175

Deposit Date APRIL 9, 1993

I hereby certify that this paper and the attachments  
herein are being deposited with the United States  
Postal Service "Express Mail Post Office to  
Addressee" service under 37 CFR 1.10 on the date  
indicated above and is addressed to the Commissioner of  
Patents and Trademarks, Washington DC 20231

Ronald C. Fedus  
Reg. No. 32,547

Date

APRIL 9, 1993

FEB. 9. 2006 7:01PM  
CONTINUED 5673/0274

ENZO BIOCHEM



Patent and Trademark Office NO. 8030 P. 18  
ASSISTANT SECRETARY AND COMMISSIONER  
OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

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SEP 05 1991  
ELAINE P. BRENNER

PATENT NUMBER		ISSUE DATE	00/00/00
SERIAL NUMBER	7-385986	FILING DATE	07/20/89
PATENT NUMBER	4,994,373	ISSUE DATE	02/19/91
SERIAL NUMBER	7-006819	FILING DATE	01/23/87
PATENT NUMBER	4,772,548	ISSUE DATE	09/20/88
SERIAL NUMBER	7-043670	FILING DATE	04/28/87
PATENT NUMBER	4,943,523	ISSUE DATE	07/24/90
SERIAL NUMBER	7-043572	FILING DATE	04/28/87
PATENT NUMBER	4,849,505	ISSUE DATE	07/18/89
SERIAL NUMBER	7-015563	FILING DATE	02/13/87
PATENT NUMBER	4,889,798	ISSUE DATE	12/26/89
SERIAL NUMBER	7-005327	FILING DATE	01/15/87
PATENT NUMBER	4,894,325	ISSUE DATE	01/16/90
SERIAL NUMBER	7-302887	FILING DATE	01/30/89
PATENT NUMBER	4,897,065	ISSUE DATE	01/30/90
SERIAL NUMBER	6-646171	FILING DATE	08/30/84
PATENT NUMBER	4,755,458	ISSUE DATE	07/05/88
SERIAL NUMBER	6-738135	FILING DATE	05/24/85
PATENT NUMBER	4,746,604	ISSUE DATE	05/24/88
SERIAL NUMBER	6-823921	FILING DATE	01/30/86
PATENT NUMBER	4,900,659	ISSUE DATE	02/13/90
SERIAL NUMBER	6-831250	FILING DATE	02/19/86
PATENT NUMBER	4,868,103	ISSUE DATE	09/19/89
SERIAL NUMBER	7-194702	FILING DATE	05/17/88
PATENT NUMBER		ISSUE DATE	00/00/00
SERIAL NUMBER	7-192256	FILING DATE	05/10/88
PATENT NUMBER	5,024,933	ISSUE DATE	06/18/91
SERIAL NUMBER	7-625584	FILING DATE	12/10/90
PATENT NUMBER		ISSUE DATE	00/00/00
SERIAL NUMBER	7-140980	FILING DATE	01/05/88
PATENT NUMBER		ISSUE DATE	00/00/00
SERIAL NUMBER	7-539279	FILING DATE	06/15/90
PATENT NUMBER		ISSUE DATE	00/00/00
SERIAL NUMBER	7-520682	FILING DATE	05/08/90
PATENT NUMBER		ISSUE DATE	00/00/00

FEB. 9. 2006 7:01PM

ENZO BIOCHEM

CONTINUED 5673/0274.



Patent and Trademark Office NO. 8030 P. 19

ASSISTANT SECRETARY AND COMMISSIONER  
OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

SERIAL NUMBER	7-531953	FILING DATE	06/01/90
PATENT NUMBER		ISSUE DATE	00/00/00

SERIAL NUMBER	7-532461	FILING DATE	05/31/90
PATENT NUMBER		ISSUE DATE	00/00/00

SERIAL NUMBER	7-567039	FILING DATE	08/13/90
PATENT NUMBER		ISSUE DATE	00/00/00

SERIAL NUMBER	7-532704	FILING DATE	06/04/90
PATENT NUMBER		ISSUE DATE	00/00/00

SERIAL NUMBER	7-548348	FILING DATE	07/02/90
PATENT NUMBER		ISSUE DATE	00/00/00

- SERIAL NUMBER	7-607347	FILING DATE	10/30/90
PATENT NUMBER		ISSUE DATE	00/00/00

SERIAL NUMBER	7-120205	FILING DATE	11/05/87
PATENT NUMBER		ISSUE DATE	00/00/00

SERIAL NUMBER	7-509110	FILING DATE	04/13/90
PATENT NUMBER		ISSUE DATE	00/00/00

SERIAL NUMBER	7-443812	FILING DATE	11/29/89
PATENT NUMBER		ISSUE DATE	00/00/00

SERIAL NUMBER	7-160607	FILING DATE	02/26/88
PATENT NUMBER		ISSUE DATE	00/00/00

SERIAL NUMBER	7-394284	FILING DATE	08/15/89
PATENT NUMBER		ISSUE DATE	00/00/00

SERIAL NUMBER	7-479327	FILING DATE	02/13/90
PATENT NUMBER		ISSUE DATE	00/00/00

- SERIAL NUMBER	7-582830	FILING DATE	09/13/90
PATENT NUMBER		ISSUE DATE	00/00/00

SERIAL NUMBER	7-590548	FILING DATE	09/27/90
PATENT NUMBER		ISSUE DATE	00/00/00

SERIAL NUMBER	7-502199	FILING DATE	03/28/90
PATENT NUMBER		ISSUE DATE	00/00/00

SERIAL NUMBER	7-501643	FILING DATE	03/29/90
PATENT NUMBER		ISSUE DATE	00/00/00

SERIAL NUMBER	7-607787	FILING DATE	10/26/90
PATENT NUMBER		ISSUE DATE	00/00/00

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OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

CONTINUED 5673/0274

SERIAL NUMBER 7-521762 FILING DATE 05/08/90  
PATENT NUMBER 5,013,831 ISSUE DATE 05/07/91

SERIAL NUMBER 7-428087 FILING DATE 10/27/89  
PATENT NUMBER ISSUE DATE 00/00/00

SERIAL NUMBER 7-043668 FILING DATE 04/28/87  
PATENT NUMBER 4,952,685 ISSUE DATE 08/28/90

SERIAL NUMBER 7-513723 FILING DATE 04/24/90  
PATENT NUMBER 5,002,885 ISSUE DATE 03/26/91

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SEP 05 1991

ELAINE P. BRENNER

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

April 16, 1991  
New York, New York

Honorable Commissioner of  
Patents and Trademarks  
Washington, D.C. 20231

Attn.: Assignment Branch

**REQUEST FOR RECORDATION  
OF BLANKET ASSIGNMENT**

Sir:

Enclosed herewith please find an original blanket Assignment dated April 4, 1991 between Enzo Biochem, Inc. and Enzo Diagnostics, Inc. This document is being submitted pursuant to 37 CFR 1.331 for recording in the Assignment Division of the Patent and Trademark Office. Please record this document and return the recorded document to the undersigned.

The Patent and Trademark Office is hereby authorized to charge Deposit Account No. 05-1135 for the recordation fee in the amount of \$8.00. The Patent and Trademark Office is also hereby authorized to charge Deposit Account No. 05-1135 for any additional fees required in connection herewith and to credit any overpayment therein.

Respectfully submitted,

*Elaine P. Brenner*

Elaine P. Brenner  
Registration No. 29,517

EXPRESS MAIL CERTIFICATE	
"Express Mail" Label No.	FB 283463026
Deposit Date	April 16, 1991
I hereby certify that this paper and the attachments herein are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Commissioner of Patents and Trademarks, Washington DC 20231.	
<i>Elaine P. Brenner</i>	<i>4/16/91</i>
Elaine P. Brenner Reg. No. 29,517	Date

Enzo Diagnostics, Inc.

40 Oak Drive  
Syosset, NY 11791  
(212) 924-5409 or 9578

In consideration for One Dollar (\$1.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, Elazar Rabbani, the undersigned, on behalf of Enzo Biochem, Inc., the assignor hereunder, a corporation of the State of New York, having a place of business at 345 Hudson Street, New York, New York 10014;

Hereby sells, assigns and transfers to: Enzo Diagnostics, Inc., a corporation of the State of New York, having a place of business at 40 Oak Drive, Syosset, NY 11791, its successors, assigns and legal representatives, the entire right, title and interest for the United States and all foreign countries, in and to any and all improvements which are disclosed in the following applications for Letters Patent:

Serial No.: 140,980  
Title: "Modified Nucleotides, Methods of Preparing and Utilizing and Compositions Containing The Same"  
Inventors: Dean Engelhardt, et al.  
Filing Date: January 5, 1988  
(Doc. No.: Enz-5(C)2)

Serial No.: 539,279  
Title: "Modified Nucleotides, Methods of Preparing and Utilizing and Compositions Containing The Same"  
Inventors: Dean Engelhardt, et al.  
Filing Date: June 15, 1990  
Doc. No.: Enz-5(Div. 2)(C))

Serial No.: 520,682  
Title: "Modified Nucleotides, Methods of Preparing and Utilizing and Compositions Containing The Same"  
Inventors: Dean Engelhardt, et al.  
Filing Date: May 8, 1990  
(Doc. No.: Enz-5(Div. 3))

Serial No.: 532,704  
Title: "Modified Nucleotides, Methods of Preparing and Utilizing and Compositions Containing The Same"  
Inventors: Dean Engelhardt, et al.  
Filing Date: June 4, 1990  
(Doc. No.: Enz-5(Div. 4))

Enzo Diagnostics, Inc.

Serial No.: 531,953  
Title: "Modified Nucleotides, Methods of Preparing and Utilizing and Compositions Containing The Same"  
Inventors: Dean Engelhardt, et al.  
Filing Date: June 1, 1990  
(Doc. No.: Enz-5(Div. 5))

Serial No.: 532,461  
Title: "Modified Nucleotides, Methods of Preparing and Utilizing and Compositions Containing The Same"  
Inventors: Dean Engelhardt, et al.  
Filing Date: May 31, 1990  
(Doc. No.: Enz-5(Div. 6))

Serial No.: 567,039  
Title: "Modified Nucleotides, Methods of Preparing and Utilizing and Compositions Containing The Same"  
Inventors: Dean Engelhardt, et al.  
Filing Date: August 13, 1990  
(Doc. No.: Enz-5(Div. 7))

Serial No.: 548,348  
Title: "Modified Nucleotides, Methods of Preparing and Utilizing and Compositions Containing The Same"  
Inventors: Dean Engelhardt, et al.  
Filing Date: July 2, 1990  
(Doc. No.: Enz-5(Div. 8))

Serial No.: 607,347  
Title: "Methods and Structures Employing Chemically Labeled Polynucleotide Probes"  
Inventors: Jannis Stavrianopoulos, et al.  
Filing Date: October 30, 1990  
(Doc. No.: Enz-7(CIP)C2)

Serial No.: 120,205  
Title: "Kit for Terminally Labeling DNA"  
Inventors: Christine Brakel, et al.  
Filing Date: November 5, 1987  
(Doc. No.: Enz-8(C)2)

Serial No.: 607,787  
Title: "Assay Method Utilizing Polynucleotide Sequences"  
Inventors: Robert Pergolizzi, et al.  
Filing Date: October 26, 1990  
(Doc. No.: Enz-11 (C)2)

Enzo Diagnostics, Inc.

Serial No.: 521,762  
Title: "Detectable Molecules, Method of Preparation and Use"  
Inventors: Dean Engelhardt, et al.  
Filing Date: May 8, 1990  
(Doc. No.: Enz-13 (Div. 4)C2)

Serial No.: 428,087  
Title: "Hybridization Method For The Detection Of Genetic Material"  
Inventors: Dean Engelhardt, et al.  
Filing Date: October 27, 1989  
(Doc. No.: Enz-15(Div. 1))

Serial No.: 590,548  
Title: "In Vivo Labelling of Polynucleotide Sequences"  
Inventors: Jannis Stavrianopoulos, et al.  
Filing Date: September 27, 1990  
(Doc. No.: Enz-16(C) (Div. 1))

Serial No.: 502,199  
Title: "Method For Detecting An Analyte Molety By Means of Signal Localization"  
Inventor: Elazar Rabbani  
Filing Date: March 28, 1990  
(Doc. No.: Enz-24(CIP)/25 C1)

Serial No.: 501,643  
Title: "Method For Detecting An Analyte Molety By Means of Signal Localization"  
Inventor: Elazar Rabbani  
Filing Date: March 29, 1990  
(Doc. No.: Enz-24(CIP)/25 Div.1)

Serial No.: 394,284  
Title: "Novel One Step Method and Polynucleotide Compounds For Hybridizing to Target Polynucleotides"  
Inventors: Jannis Stavrianopoulos, et al.  
Filing Date: August 15, 1989  
(Doc. No.: Enz-26(C))

Enzo Diagnostics, Inc.

Serial No.: 479,327  
Title: "Nucleotide Sequence Composition And Method For Detection of *Neisseria* Gonorrhoea And Method For Screening For A Nucleotide Sequence That Is Specific For A Genetically Distinct Group"  
Inventors: Andrew Lo, et al.  
Filing Date: February 13, 1990  
(Doc. No.: Enz-27(C))

Serial No.: 582,830  
Title: "Polynucleotide Probes And A Method For Their Preparation"  
Inventors: David Mao, et al.  
Filing Date: September 13, 1990  
(Doc. No.: Enz-29(C))

Serial No.: 509,110  
Title: "Polynucleotide Composition and Method"  
Inventors: Huey-Lang Yang, et al.  
Filing Date: April 13, 1990  
(Doc. No.: Enz-31(C))

Serial No.: 443,812  
Title: "Inhibition of Self-Quenching In Specific Binding Assay"  
Inventor: Stanley Kline  
Filing Date: November 29, 1989  
(Doc. No.: Enz-32(C))

Serial No.: 160,607  
Title: "End-Labeled Nucleotide Probe"  
Inventors: Christine L. Brakel, et al.  
Filing Date: February 26, 1988  
(Doc. No.: Enz-34)

Serial No.: 194,702  
Title: "Device With Gradient-Regulated Localized Signal"  
Inventors: Elazar Rabbani, et al.  
Filing Date: May 17, 1988  
(Doc. No.: Enz-35)

Enzo Diagnostics, Inc.

Serial No.: 192,256  
Title: "Method For Sample Adherence To Test Substrate"  
Inventors: Huey-Lang Yang, et al.  
Filing Date: May 10, 1988  
(Doc. No.: Enz-36)

Serial No.: 625,584  
Title: "Detection System For Visualizing Proteolysis Of Cellular Proteins"  
Inventor: Maurice Rosenstrauss  
Filing Date: December 10, 1990  
(Doc. No.: Enz-37(C))

Serial No.: 304,748  
Title: "Time-Resolved Fluorometer"  
Inventor: Ian Hurley  
Filing Date: January 31, 1989  
(Doc. No.: Enz-38)

Serial No.: 314,995  
Title: "Energy Transfer Hybridization Assay Using Intercalators and Lanthanide Metals"  
Inventors: Elazar Rabbani, et al.  
Filing Date: February 24, 1989  
(Doc. No.: Enz-39)

Serial No.: 342,196  
Title: "Non-Radioactive In Situ Hybridization Assay"  
Inventors: Joanne Spadaro, et al.  
Filing Date: April 21, 1989  
(Doc. No.: Enz-40)

Serial No.: 316,385  
Title: "Dual-Probe Energy Transfer Hybridization Assay"  
Inventors: Ian Hurley, et al.  
Filing Date: February 27, 1989  
(Doc. No.: Enz-41)

Serial No.: 459,030  
Title: "Amplification Capture Assay"  
Inventors: Christine Brakel, et al.  
Filing Date: December 29, 1989  
(Doc. No.: Enz-43)

Enzo Diagnostics, Inc.

Serial No.: 633,730  
Title: "Method for Detecting A Target Polynucleotide In A Sample Using A Background Reducing Reagent, And Composition And Kit Comprising Such A Reagent"  
Inventor: Jannis G. Stavrianopoulos  
Filing Date: December 24, 1990  
(Doc. No.: Enz-44)

and in and to said applications for Letters Patent and all divisional, continuing, substitute, renewal, reissue, and all other applications for Letters Patent which have been or shall be filed in the United States and all foreign countries on any of said improvements; and in and to all original and reissued patents which have been or shall be issued in the United States and all foreign countries on said improvements:

Hereby also sells, assigns and transfers to: Enzo Diagnostics, Inc., a corporation of the State of New York, having a place of business at 40 Oak Drive, Syosset, NY 11791, its successors, assigns and legal representatives, the entire right, title and interest for the United States and all foreign countries, in and to any and all improvements which are disclosed in the following United States Letters Patent:

Patent No.: 4,994,373  
Title: "Method And Structures Employing Chemically-Labelled Polynucleotide Probes"  
Inventors: Jannis G. Stavrianopoulos, et al.  
Issue Date: February 19, 1991  
(Doc. No.: Enz-7 (CIP)C)

Patent No.: 4,772,548  
Title: "Radioisotopic assay Using Isotope Transfer To Chelator-Target Recognition Molecule Conjugate"  
Inventor: Jannis G. Stavrianopoulos  
Issue Date: September 20, 1988  
(Doc. No.: Enz-12 (Div. 2))

Patent No.: 4,707,440  
Title: "Nucleic Acid Hybridization Assay And Detectable Molecules Useful In Such Assay"  
Inventor: Jannis G. Stavrianopoulos  
Issue Date: November 17, 1987  
(Doc. No.: Enz-13)

Enzo Diagnostics, Inc.

Patent No.: 4,843,122  
Title: "Detectable Molecules, Method  
Of Preparation And Use"  
Inventor: Jannis G. Stravrianopoulos  
Issue Date: June 27, 1989  
(Doc. No.: Enz-13 (Div. 1))

Patent No.: 4,943,523  
Title: "Detectable Molecules, Method  
Of Preparation And Use"  
Inventor: Jannis G. Stravrianopoulos  
Issue Date: July 24, 1990  
(Doc. No.: Enz-13 (Div. 2))

Patent No.: 4,952,685  
Title: "Detectable Molecules, Method  
Of Preparation And Use"  
Inventor: Jannis G. Stravrianopoulos  
Issue Date: August 28, 1990  
(Doc. No.: Enz-13 (Div. 4))

Patent No.: 5,002,885  
Title: "Detectable Molecules, Method  
Of Preparation And Use"  
Inventor: Jannis G. Stravrianopoulos  
Issue Date: March 26, 1991  
(Doc. No.: Enz-13 (Div. 4)C1)

Patent No.: 4,849,505  
Title: "Detectable Molecules, Method  
Of Preparation And Use"  
Inventor: Jannis G. Stravrianopoulos  
Issue Date: July 18, 1989  
(Doc. No.: Enz-13 (Div. 5))

Patent No.: 4,889,798  
Title: "Heterologous System For The  
Detection of Chemically Labeled  
DNA and Other Biological Materials  
Providing A Receptor Or Target  
Molety Thereon"  
Inventor: Elazar Rabbani  
Issue Date: December 26, 1989  
(Doc. No.: Enz-14(C))

Enzo Diagnostics, Inc.

Patent No.: 4,894,325  
Title: "Hybridization Method For The Detection Of Genetic Material"  
Inventors: Dean L. Engelhardt, et al.  
Issue Date: January 16, 1990  
(Doc. No.: Enz-15(P)C)

Patent No.: 4,987,065  
Title: "In Vivo Labelling of Polynucleotide Sequences"  
Inventors: Jannis G. Stravrianopoulos, et al.  
Issue Date: January 22, 1991  
(Doc. No.: Enz-16(C))

Patent No.: 4,755,458  
Title: "Composition And Method For The Detection Of The Presence Of A Polynucleotide Sequence Of Interest"  
Inventors: Elazar Rabbani, et al.  
Issue Date: July 5, 1988  
(Doc. No.: Enz-18)

Patent No.: 4,746,604  
Title: "Specific Binding Assays Utilizing A Viable Cell As A Label"  
Inventor: Solomon Mowshowitz  
Issue Date: May 24, 1988  
(Doc. No.: Enz-21)

Patent No.: 4,900,659  
Title: "Nucleotide Sequence Composition And Method For Detection Of *Neisseria Gonorrhoeae* And Method For Screening For A Nucleotide Sequence That Is Specific For A Genetically Distinct Group"  
Inventors: Andrew Lo, et al.  
Issue Date: February 13, 1990  
(Doc. No.: Enz-27)

Patent No.: 4,868,103  
Title: "Analyte Detection By Means Of Energy Transfer"  
Inventors: Jannis G. Stravrianopoulos, et al.  
Issue Date: September 19, 1989  
(Doc. No.: Enz-28)


and in and to said Letters Patent and all divisional, continuing, substitute, renewal, reissue, and all other applications for Letters

Enzo Diagnostics, Inc.

Patent which have been or shall be filed in the United States and all foreign countries on any of said improvements; and in and to all original and reissued patents which have been or shall be issued in the United States and all foreign countries on said improvements:

Agrees that said Assignee may apply for and receive Letters Patent for said improvements in its own name; and that, when requested, without charge to but at the expense of said Assignee, its successors, assigns and legal representatives, to carry out in good faith the intent and purpose of this assignment, the undersigned will execute all divisional, continuing, substitute, renewal, reissue, and all other patent applications on any and all said improvements; execute all rightful oaths, assignments, powers of attorney and other papers, communicate to said Assignee, its successors, assigns, and representatives, all facts known to the undersigned relating to said improvements and the history thereof; and generally do everything possible which said Assignee, its successors, assigns or representatives shall consider desirable for aiding in securing and maintaining proper patent protection for said improvements and for vesting title to said improvements and all applications for Letters Patent and all patents on said improvements, in said Assignee, its successors, assigns and legal representatives; and

Covenant with said Assignee, its successors, assigns and legal representatives that no assignment, grant, mortgage, license or other agreement affecting the rights and property herein conveyed has been made to others by the undersigned, and that full right to convey the same as herein expressed is possessed by the undersigned.

  
Elazar Rabbani, President  
Enzo Biochem, Inc.

#### Acknowledgment

State of NEW YORK )  
County of NEW YORK ) ss:

On this 14<sup>th</sup> day of April, 1991 personally appeared before me ELAZAR RABBANI to me known, and known by me to be the same person described in and who executed the foregoing instrument, and acknowledged that he executed the same, of his own free will and for the purposes set forth.

MARY HAIG  
Notary Public, State of New York  
No. 41-1828826  
Qualified in Queens County  
Certificate Filed in New York County  
Commission Expires October 31, 1991

  
Notary Public

Enzo Diagnostics, Inc.

Stavrianopoulos et al., Serial No. 08/486,070 (Filed June 7, 1995)  
Exhibit 2 [Consent Of Assignee To Correct Inventorship In Patent Application  
-- February 9, 2006]

# EXHIBIT 2

Enz-7(P)(C3)

FILING RECEIPT

ENTITY NAME: ENZO LIFE SCIENCES, INC.

DOCUMENT TYPE: AMENDMENT (DOMESTIC BUSINESS)  
NAME

COUNTY: NEWY

SERVICE COMPANY: CT CORPORATION SYSTEM

SERVICE CODE: 07

FILED: 12/24/2001 DURATION: \*\*\*\*\* CASH#: 011224000052 FILM #: 011224000048

ADDRESS FOR PROCESS

REGISTERED AGENT

=====		FEES	95.00	PAYMENTS	95.0
FILER		----			
MORRISON COHEN SINGER & WEINSTEIN		FILING	60.00	CASH	0.0
750 LEXINGTON AVENUE		TAX	0.00	CHECK	95.0
NEW YORK, NY 10022		CERT	0.00	CHARGE	0.0
		COPIES	10.00	DRAWDOWN	0.0
		HANDLING	25.00	BILLED	0.0
				REFUND	0.0
		=====			

DOS-1025 (11/89)

State of New York }  
Department of State } ss:

*I hereby certify that the annexed copy has been compared with the original document in the custody of the Secretary of State and that the same is a true copy of said original.*

*Witness my hand and seal of the Department of State on* DEC 28 2001



A handwritten signature in dark ink, appearing to read "J. Heub", followed by a horizontal line.

*Special Deputy Secretary of State*

DOS-1266 (7/00)

011224000048

CT-07

CERTIFICATE OF AMENDMENT  
OF THE  
CERTIFICATE OF INCORPORATION  
OF  
ENZO DIAGNOSTICS, INC.

(Under Section 805 of the New York Business Corporation Law)

The undersigned, being the respective President and Secretary the Corporation, hereby certify as follows:

FIRST: The name of the corporation is:

ENZO DIAGNOSTICS, INC.

SECOND: The Certificate of Incorporation of the Corporation was filed by the Department of State of the State of New York on June 26, 1987.

THIRD: The following amendment to Article FIRST of the Certificate of Incorporation of the Corporation, designed to change the name of the Corporation is being made in accordance with the provisions of Section 801 of the New York Business Corporation Law.

FOURTH: Article FIRST is hereby deleted in its entirety and substituted in lieu thereof is the following new Article FIRST:

"FIRST: The name of the corporation is:

ENZO LIFE SCIENCES, INC."

FIFTH: This amendment of the Certificate of Incorporation of the Corporation was authorized by unanimous written consent of the Board of Directors and the sole shareholder.

IN WITNESS WHEREOF, the undersigned have executed this Certificate of Amendment of the Certificate of Incorporation on behalf of the Corporation, affirming that the statements herein contained are true and correct under the penalties of perjury this 21st day of December, 2001.

/s/ Elazar Rabbani  
Name: Elazar Rabbani  
Title: President

/s/ Barry W. Weiner  
Name: Barry W. Weiner  
Title: Secretary

#344237.v2 112656 1001

8 011224000048

CT-07

CERTIFICATE OF AMENDMENT  
OF  
CERTIFICATE OF INCORPORATION  
ENZO DIAGNOSTICS, INC.  
UNDER SECTION 805 OF THE  
BUSINESS CORPORATION LAW

\* \* \* \* \*

Morrison Cohen Singer & Weinstein, LLP  
750 Lexington Avenue  
New York, New York 10022

100  
STATE OF NEW YORK  
DEPARTMENT OF STATE

DEC 24 2001

FILED  
TAXS  
BY:

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NEW YORK

052

TOTAL P.02

Stavrianopoulos et al., Serial No. 08/486,070 (Filed June 7, 1995)  
Exhibit D [Request Under 37 C.F.R. §1.48(a) To Correct Inventorship  
-- February 9, 2006]

# EXHIBIT D

Enz-7(P)(C3)

ENZ 7 CIP

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Jannis G. Stavrianopoulos et al.  
Serial No. : 732,374  
Filed : May 9, 1985  
For : METHODS AND STRUCTURES EMPLOYING  
CHEMICALLY-LABELLED POLYNUCLEOTIDE  
PROBES

New York, New York  
September 11, 1985

Hon. Commissioner of Patents  
and Trademarks  
Washington, D.C. 20231

Attention: G. Barnhart  
Application Branch

LETTER

Sir:

This is in response to the Notice to File Missing Parts of Application Under 37 C.F.R. § 1.53(d) mailed on June 4, 1985. Applicants have petitioned concurrently herewith to extend the time for response to that Notice from July 9, 1985, i.e., two months from the filing date of the application, up to and including September 9, 1985 and paid the required fee [37 C.F.R. §§ 1.136(a), 1.17].

Applicants herewith submit the following:

(a) a Declaration and Power of Attorney executed by Drs. Stavrianopoulos, Kirtikar and Thalenfeld and by them on behalf of Dr. Kenneth H. Johnston;

(b) a check for \$100.00 under 37 C.F.R. § 1.16(e) for the surcharge for filing the Declaration on a date later than the filing date of the application;

(c) an affidavit executed by Mary E. Bak under 37 C.F.R. § 1.47(a) with exhibits establishing a joint inventor's refusal to sign the Declaration; and

(d) a check for \$120.00 for filing the § 1.47(a) affidavit.

The Declaration is being filed pursuant to 35 U.S.C. § 116 and 37 C.F.R. § 1.47(a) because Dr. Kenneth H. Johnston, who on information and belief is a joint inventor with Drs. Stavrianopoulos, Kirtikar and Thalenfeld of both the above-identified application and its now-abandoned parent application S.N. 461,479, has refused to join in the present application for patent. The facts which evidence Dr. Johnston's refusal are set forth in the accompanying affidavit and its exhibits.

It is respectfully requested that the attached Declaration containing the signatures of Drs. Stavrianopoulos, Kirtikar and Thalenfeld, for themselves and on behalf of Dr. Johnston be accepted.

The Commissioner is hereby authorized to charge payment of any additional filing fees required by this paper under 37 C.F.R. § 1.16, or credit any overpayment of same, to Deposit Account No. 06-1075. A duplicate copy of this transmittal letter is enclosed.

Respectfully submitted,

*Mary E. Bak*  
James F. Haley, Jr. (Reg. No. 27,794)  
Mary E. Bak (Reg. No. 31,215)  
Attorneys for Applicants  
c/o FISH & NEAVE  
875 Third Avenue, 29th Floor  
New York, New York 10022  
Tel.: (212) 715-0600

DECLARATION AND POWER OF ATTORNEY  
FOR PATENT APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

METHODS AND STRUCTURES EMPLOYING CHEMICALLY-LABELED  
POLY-NUCLEOTIDE PROBES

the specification of which

(check ☐ is attached hereto.  
one)

☒ was filed on May 9, 1985 as  
Application Serial No. 732,374  
and was amended on \_\_\_\_\_  
(if applicable)

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I do not know and do not believe that the invention was ever patented or described in any printed publication in any country before my or our invention thereof or more than one year prior to this application.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, § 1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code, § 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

## Prior Foreign Application(s)

			Priority Claimed	
			<input type="checkbox"/>	<input type="checkbox"/>
(Number)	(Country)	(Day/Month/Year Filed)	Yes	No
_____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>
(Number)	(Country)	(Day/Month/Year Filed)	Yes	No
_____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>
(Number)	(Country)	(Day/Month/Year Filed)	Yes	No
_____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) listed below, and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information as defined in title 37, Code of Federal Regulations, § 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

<u>461,469</u>	<u>Jan. 27, 1983</u>	<u>Pending</u>
(Application Serial No.)	(Filing Date)	(Status) patented, pending, abandoned)
_____	_____	_____
(Application Serial No.)	(Filing Date)	(Status) patented, pending, abandoned)

As a named inventor, I hereby appoint the following attorneys to prosecute this application and transact all business in the Patent and Trademark Office connected therewith:

Charles B. Smith, Esq. - Reg. No. 16, 763

James F. Haley, Jr., Esq. - Reg. No. 27,794

Mary E. Bak, Esq. - Reg. No. 31,215

Samuel B. Abrams, Esq. - Reg. No. 30,605

Send Correspondence to:

Mary E. Bak, Esq.  
Fish & Neave  
29th Floor  
875 Third Avenue  
New York, New York 10022

Direct telephone calls to:

Mary E. Bak  
(212) 713-0600

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of first joint inventor Jannis G. Stavrianopoulos  
Inventor's signature [Signature] 8/29/85 Date  
Residence 1380 Riverside Drive, New York, New York 10033  
Citizenship United States of America  
Post Office Address SAME

Full name of second joint inventor Dollie Kirtikar  
Inventor's signature [Signature] 8/29/85 Date  
Residence 42-72 80th Street, Elmhurst, New York 11373  
Citizenship United States of America  
Post Office Address SAME

Full name of third joint inventor Kenneth H. Johnston  
Inventor's signature \_\_\_\_\_ Date \_\_\_\_\_  
Residence 95 Horatio Street, New York, New York 10014  
Citizenship Canada  
Post Office Address \_\_\_\_\_

Full name of fourth joint inventor Barbara E. Thalenfeld  
Inventor's signature [Signature] 8/28/85 Date  
Residence 250 East 39th Street, New York, New York 10016  
Citizenship United States of America  
Post Office Address \_\_\_\_\_

RECEIVED  
CENTRAL FAX CENTER

FEB 09 2006

ENZ 7 CIP

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Jannis G. Stavrianopoulos et al.  
Serial No. : 732,374  
Filed : May 9, 1985  
For : METHODS AND STRUCTURES EMPLOYING  
CHEMICALLY-LABELLED POLYNUCLEOTIDE  
PROBES

AFFIDAVIT OF MARY E. BAK

STATE OF NEW YORK )  
: ss.:  
COUNTY OF NEW YORK )

MARY E. BAK, being duly sworn, deposes and says:

1. I am an attorney of record in the above-identified application S.N. 732,374 ("the application"). I make this affidavit in connection with the late filing of the declaration by Drs. Jannis G. Stavrianopoulos, Dollie Kirtikar and Barbara E. Thalenfeld, on behalf of themselves and Dr. Kenneth E. Johnston, pursuant to 35 U.S.C. § 116 and 37 C.F.R. § 1.47(a).

2. On information and belief, the invention disclosed and claimed in the application is the joint invention of Drs. Stavrianopoulos, Kirtikar, Thalenfeld and Johnston, which was originally disclosed and claimed in the parent United States patent application S.N. 461,469 ("parent application"). The declaration (attached as Exhibit A) for the parent application was executed by the four above-named inventors on January 25 and 26, 1983 and the parent application was filed on January 27, 1983. At the time of the filing of the parent application, all four inventors were employed by Enzo Biochem, Inc. of New York, New York ("Enzo").

7. On June 17, 1985, I responded to Dr. Johnston's letter by sending him a copy of the application with a letter (attached as Exhibit E) again requesting return of the executed declaration. When no response to the June 17, 1985 letter was timely received, I sent two identical letters (attached as Exhibits F and G) on August 12, 1985 to Dr. Johnston's home and business addresses requesting execution of the declaration. The letter to Dr. Johnston's home address was sent by certified mail. The certification receipt is attached as Exhibit H.

8. On September 11, 1985, I contacted Dr. Johnston by telephone at Rockefeller University at 212-570-8163 and requested that he execute and return the declaration. Dr. Johnston refused to sign the declaration. On information and belief, Dr. Johnston's refusal to execute the declaration is not based on any question concerning the merits of the application, but is apparently grounded upon a general refusal to cooperate with his former employer, Enzo, in any way.

9. Dr. Johnston's refusal to execute the declaration is believed to be in disregard of his obligations under the assignment (Exhibit B) of the parent application. Therefore, the declaration has been re-executed by Drs. Stavrianopoulos, Kirtikar and Thalenfeld on behalf of themselves and Dr. Johnston.

Mary E. Bak

Sworn to and subscribed  
before me this 11<sup>th</sup> day  
of September, 1985.

*Denise L. Loring*  
Notary Public

DENISE L. LORING  
NOTARY PUBLIC, State of New York  
No. 31-4794181  
Qualified in New York County  
Commission Expires March 30, 1987

3. An assignment (attached as Exhibit B) to Enzo of all inventions claimed and/or disclosed in the parent application and all related foreign or continuation applications disclosing same was executed by the four above-named inventors and was recorded on January 27, 1983 in the United States Patent and Trademark Office under Reel 4094, Frame 509.

4. On information and belief, Dr. Johnston's employment with Enzo was terminated by mutual agreement prior to September 1983. On information and belief, Dr. Johnston's present home address is 95 Horatio Street, New York, New York 10014.

5. In April 1985, I was asked to prepare a continuation-in-part patent application directed to subject matter disclosed in the parent application. During the period April 1, 1985 through May 9, 1985, I worked with Samuel B. Abrams, patent counsel for Enzo, in connection with the preparation of the application. Because of the need to file the application prior to the abandonment of the parent application on May 9, 1985, the six-month deadline for response to the then-outstanding Office Action, the application was reviewed by Dr. Thalenfeld and filed without a declaration. During subsequent preparation of the declaration for execution by the inventors, I was informed that only Drs. Stavrianopoulos, Thalenfeld and Kirtikar were currently employed by Enzo.

6. On May 20, 1985, I sent a declaration to Mr. Abrams for execution by the inventors employed by Enzo. I received the executed declaration from Enzo on May 30, 1985. On May 31, 1985, I sent to Dr. Johnston a letter (attached as Exhibit C) with the declaration requesting that he also execute it and return it to me. Dr. Johnston then requested by letter dated June 11, 1985 (attached as Exhibit D), a copy of the application which had been inadvertently omitted from my May 31 letter.

(Joint)

### Declaration and Power of Attorney

Jannis G. Stavrianopoulos, Dollie Kirtikar, Kenneth R. Johnston  
we, and Barbara E. Thalenfeld the United States of America, the United  
States of America, Canada, and the United  
declare that we are respectively citizens of  
residing at 515 West 59 Street, New York, New York 10019; States of  
America,  
42-72 80 Street, Elmhurst, New York 11373; 95 Horatio Street,  
New York, New York 10014; and 250 East 39 Street, New York,  
New York 10016, respectively,  
that we have read the specification entitled:

#### METHODS AND STRUCTURES EMPLOYING NON-RADIOACTIVE CHEMICALLY-LABELED POLYNUCLEOTIDE PROBES

and the claims thereof; that we understand the content of the foregoing  
specification, and we verily believe we are the original, first and joint inventors of  
the invention described and claimed therein; that we do not know and do not believe  
that this invention was ever known or used in the United States before our invention  
thereof, or patented or described in any printed publication in any country before our  
invention thereof, or more than one year prior to this application, or in public use  
or on sale in the United States more than one year prior to this application; that  
this invention has not been patented or made the subject of an inventor's certificate  
in any country foreign to the United States on an application filed by us or our legal  
representatives or assigns more than twelve months before this application; and that  
no application for patent or inventor's certificate on this invention has been filed in  
any country foreign to the United States by us or our representatives or assigns,  
except as follows:

N O N E

We further declare that we acknowledge our duty to disclose information of  
which we are aware which is material to the examination of this application.

And we hereby appoint: individually and collectively,  
Thomas F. Moran, Reg. No. 16,579; Lester W. Clark, Reg. No.  
14,954; Christopher C. Dunham, Reg. No. 22,031; Ivan S.  
Kavrukov, Reg. No. 25,161; and John P. White, Reg. No. 28,678,  
each of them

of 30 Rockefeller Plaza, New York, New York 10112, (Tel 212-977-9550), our  
attorneys, each with full power of substitution and revocation, to prosecute this  
application, to make alterations and amendments therein, to receive the patent, and  
to transact all business in the Patent and Trademark Office connected therewith and  
to file any International Applications which are based thereon under the provisions  
of the Patent Cooperation Treaty.

Exhibit A to Affidavit  
of Mary E. Bak

Lastly, we declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Inventor's full name

J. Stavrinosopoulos  
(Signature)  
JANNIS G. STAVRINOSPOULOS

Date

1/26/83Post Office Address 515 West 59 StreetNew York, New York 10019

Inventor's full name

✓ Dollie Kirtkar  
(Signature)

DOLLIE KIRTKAR

Date

1/26/83Post Office Address 42-72 80 StreetElmhurst, New York 11373

Inventor's full name

✓ KH Johnston  
(Signature)  
KENNETH H. JOHNSTON

Date

26 Jan 83Post Office Address 95 Horatio StreetNew York, New York 10014

Inventor's full name

Barbara E. Thalenfeld  
(Signature)

BARBARA E. THALENFELD

Date 1/25/83

Post Office Address 250 East 39 Street

New York, New York 10016

## Assignment

In consideration of One Dollar (\$1.00), and other good and valuable considerations, the receipt of which is hereby acknowledged, we, the undersigned, Jannis G. Stavrianopoulos, Dollie Kirtikar, Kenneth E. Johnston and Barbara E. Thalenfeld, residing at 515 West 59 Street, New York, NY 10019; 42-72 80 Street, Elmhurst, NY 11373; 95 Horatio Street, New York, NY 10014; and 250 East 39 Street, New York, NY 10016, respectively,

Hereby sell, assign and transfer to Enzo Biochem, Inc.

a corporation of the State of New York, having a place of business at 325 Hudson Street, New York, NY 10113 in the County of New York and State of New York its successors, assigns and legal representatives, the entire right, title and interest for all countries, in and to any and all inventions which are disclosed and claimed, and any and all inventions which are disclosed but not claimed, in the application for United States Patent, which has been executed by the undersigned on Jan. 25, 1983 and Jan. 26, 1984 and is entitled

### ~~METHODS AND STRUCTURES EMPLOYING NON-RADIOACTIVE~~ ~~CHEMICALLY-LABELED POLYNUCLEOTIDE PROBES.~~

and in and to said application and all divisional, continuing, substitute, renewal, reissue, and all other applications for U.S. Letters Patent or other related property rights in any and all foreign countries which have been or shall be filed on any of said inventions disclosed in said application; and in and to all original and reissued patents or related foreign documents which have been or shall be issued on said inventions;

Authorize and request the Commissioner of Patents of the United States to issue to said Assignee, the corporation above named, its successors, assigns and legal representatives, in accordance with this assignment, any and all United States Letters Patent on said inventions or any of them disclosed in said application;

Exhibit B to Affidavit  
of Mary E. Bak  
SN 732,374

Agree that said Assignee may apply for and receive foreign Letters Patent or rights of any other kind for said inventions, or any of them; and may claim, in applications for said foreign Letters Patent or other rights, the priority of the aforesaid United States patent application under the provisions of the International Convention of 1883 and later modifications thereof, under the Patent Cooperation Treaty, under the European Patent Convention or under any other available international agreement; and that, when requested, without charge to, but at the expense of, said Assignee, its successors, assigns and legal representatives, to carry out in good faith the intent and purpose of this assignment, the undersigned or the undersigned's executors or administrators will, for the United States and all foreign countries, execute all divisional, continuing, substitute, renewal, reissue, and all other patent applications or other documents on any and all said inventions; execute all rightful oaths, assignments, powers of attorney and other papers; communicate to said Assignee, its successors, assigns and representatives, all facts known and documents available to the undersigned relating to said inventions and the history thereof; testify in all legal proceedings; and generally do everything possible which said Assignee, its successors, assigns or representatives shall consider desirable for aiding in securing, maintaining and enforcing proper patent protection for said inventions and for vesting title to said inventions and all applications for patents or related foreign rights and all patents on said inventions, in said Assignee, its successors, assigns and legal representatives; and

Covenant with said Assignee, its successors, assigns and legal representatives that no assignment, grant, mortgage, license or other agreement affecting the rights and property herein conveyed has been made to others by the undersigned, and that full right to convey the same as herein expressed is possessed by the undersigned.

Date: 1/26/1983 19  
 Witness: Paula J. Olszewski  
310 E 71<sup>st</sup> St  
NY NY 10021

[Signature] [U.S.]  
 JANNIS G. STAVRIANOPOULOS

Date: 1/26/83 19  
 Witness: Paula J. Olszewski

[Signature] [U.S.]  
 DOLLIE KIRTIKAR

Date: 26 Jan 83 19Witness: Paula J. O'SullivanK H Johnston. [L.S.]  
KENNETH H. JOHNSTONDate: Jan 26, 1983 19Witness: Paula J. O'SullivanBarbara E. Thalenfeld [L.S.]  
BARBARA E. THALENFELD

## FISH &amp; NEAVE

875 THIRD AVENUE, NEW YORK, N.Y. 10022

C O P Y

May 31, 1985

CERTIFIED MAIL

Kenneth H. Johnston, PhD  
95 Horatio Street  
New York, New York 10014

Enzo Biochem, Inc. - Enz-7CIP  
"Structures for Polynucleotide Probes" -  
Stavrianopoulos, Kirtikar, Johnston and Thalenfeld  
New United States Patent Application

Dear Dr. Johnston:

On May 9, 1985 we filed on behalf of Enzo Biochem, Inc., a continuation patent application of your pending application identified above. No new invention was added to the previous application; however, we did include an additional example. We also "cleaned up" the language in the application by deleting excessive background material.

We have enclosed a new declaration and power of attorney for execution by all the inventors of the prior parent application. Please sign and date this form where indicated on page three and return it to us in the enclosed stamped, addressed envelope.

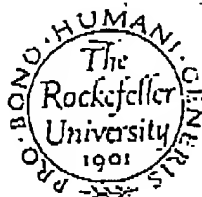
Thank you for your assistance.

Very truly yours,

Mary E. Bak

MEB:cp  
Enclosure

Exhibit C to Affidavit  
of Mary E. Bak  
CN 737:774



## THE ROCKEFELLER UNIVERSITY

1230 YORK AVENUE • NEW YORK, NEW YORK 10021-8399

RECEIVED

JUN 13 1985

June 11, 1985

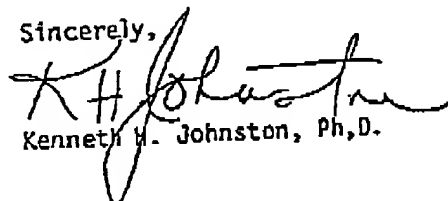
FISH & NEAVE  
REFERRED TO: C  
NOTED BY: me

Mary E. Bak  
Fish and Neave  
875 Third Avenue, 29th Floor  
New York, New York 10022

Dear Ms Bak:

I received from you a statement of declaration and power of attorney for execution of ENZO BIOCHEM, INC.-ENZ-7CIP "Structures for polynucleotide probes" Stavrianopoulos, Kirtikar, Johnston and Thalenfeld. New United States Patent Application. However, I cannot comply with your request to sign this document at this moment. Before this request may be granted, I wish to study the complete text of this new patent application. Please forward the appropriate document to me at The Rockefeller University, Box 276, 1230 York Avenue, New York, NY 10021. In addition, I must insist that all communication with me regarding this matter must be in written form, not verbal.

Sincerely,

  
Kenneth H. Johnston, Ph.D.

KHJ:rn

Exhibit D to Affidavit  
of Mary E. Bak  
SN 732.374

## FISH &amp; NEAVE

875 THIRD AVENUE, NEW YORK, N.Y. 10022

C O P Y

June 17, 1965

Kenneth H. Johnston, PhD  
The Rockefeller University  
Box 276  
1230 York Avenue  
New York, New York 10021

Enzo Biochem, Inc. - (Enz-7 CIP)  
New Continuation Patent Application

Dear Dr. Johnston:

Thank you for your letter of June 11, 1965.

A copy of the enclosed continuation application should have been included with the declaration which was sent to you. Its absence from the envelope was inadvertent and I apologize for this oversight.

As I indicated in my previous letter, the continuation application contains examples and disclosure provided in the prior application. You will note, however, that the background portions have been changed primarily for the purpose of clarity.

Once you have reviewed the application, please sign the declaration and return it to me.

Because the European application corresponding to the original Enz-7 parent application has not yet been published, this application remains the confidential property of Enzo Biochem by virtue of the assignment filed in the parent application. Therefore, please do not disclose this application to anyone. After you have reviewed it, please either return it to me, destroy it or, if you wish to retain it in your files, please ensure that it is unavailable to anyone but yourself.

Exhibit E to Affidavit  
of Mary E. Bak  
SN 732,374

FISH & NEAVE

875 THIRD AVENUE, NEW YORK, N.Y. 10022

Kenneth H. Johnston, PhD COPY

2

Best regards.

Very truly yours,

Mary E. Bzk

MEB:cp

FISH &amp; NEAVE

875 THIRD AVENUE, NEW YORK, N.Y. 10022

C O P Y

August 12, 1985

Certified Mail

Kenneth H. Johnston, Ph.D.  
95 Horatio Street  
New York, New York 10014

Enzo Biochem, Inc. (ENZ-7-CIP)  
"Structure for Polynucleotide Probes"  
Stavrianopoulos et al."  
New continuation-in-part application

Dear Dr. Johnston:

The declaration sent to you for execution in the above-identified application with my letter of May 31, 1985 is due to be filed in the United States Patent and Trademark Office.

Please return the executed declaration to me at the above address by August 28, 1985 so that I may timely file it.

Thank you for your cooperation in this matter.

Best regards.

Very truly yours,

Mary E. Bak

MEB:cd

cc: Samuel B. Abrams, Esq.

Exhibit F to Affidavit  
of Mary E. Bak

## FISH &amp; NEAVE

875 THIRD AVENUE, NEW YORK, N.Y. 10022

C O P Y

August 12, 1985

Kenneth B. Johnston, Ph.D.  
The Rockefeller University  
Box 276  
1230 York Avenue  
New York, New York 10021

Enzo Biochem, Inc. (ENZ-7-CIF)  
"Structure for Polynucleotide Probes"  
Stavrianopoulos et al."  
New continuation-in-part application

Dear Dr. Johnston:

The declaration sent to you for execution in the  
~~above-identified application~~ with my letter of May 31, 1985  
is due to be filed in the United States Patent and Trademark  
Office.

Please return the executed declaration to me at the  
above address by August 26, 1985 so that I may timely file  
it.

Thank you for your cooperation in this matter.

Best regards.

Very truly yours,

Mary E. Bak

MEB:cd

bcc: Samuel B. Abrams, Esq.


Exhibit G to Affidavit  
of Mary E. Bak

P 655 624 873

## RECEIPT FOR CERTIFIED MAIL

NO INSURANCE COVERAGE PROVIDED  
NOT FOR INTERNATIONAL MAIL

(See Reverse)

* U.S.G.P.O. 1993-403-317 PS Form 3800, Feb. 1992	Sent to	Kenneth H. Johnston Ph.D.
	Street and No.	95 Horatio Street
	P.O., State and ZIP Code	New York, NY 10014
	Postage	\$
	Certified Fee	
	Special Delivery Fee	
	Restricted Delivery Fee	
	Return Receipt Showing to whom and Date Delivered	
	Return receipt showing to whom, Date, and Address of Delivery	
	TOTAL Postage and Fees	
Postmark		



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office

Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

SERIAL NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
07/967,646	10/28/92	STAVRIANOPOULOS	J ENZ-7-(C2)-1

RONALD C. FEDUS  
ENZO BIOCHEM, INC.  
60 EXECUTIVE BLVD.  
FARMINGDALE, NY 11735

0000

DATE MAILED:

11/24/92

**Notice of Incomplete Application Filed Pursuant to  
37 CFR 1.60**

A filing date has NOT been assigned since 37 CFR 1.60 has not been complied with for the reason(s) indicated below:

1. ☐ A copy of the specification (description and claims) filed in the parent application:
  - a. ☐ is missing.
  - b. ☐ has page(s) \_\_\_\_\_ missing.
  - c. ☐ has the description of the invention missing.
  - d. ☐ has claim(s) \_\_\_\_\_ missing.
2. ☒ A copy of the oath or declaration filed in the parent application is missing.
3. ☐ The copy of the oath or declaration filed does not show applicant(s) signature or an indication on the oath or declaration that it was signed.
4. ☐ A copy of the drawings as filed in the parent application is missing.
5. ☐ A copy of any amendments referred to in the oath or declaration filed to complete the parent application is missing.
6. ☐ A statement that the application papers filed are a true copy of the prior application and that no amendments referred to in the oath or declaration filed to complete the prior application introduced new matter therein is missing. Such statement must be by the applicant or applicant's attorney or agent and must be a verified statement if made by a person not registered to practice before the United States Patent and Trademark Office.
7. ☐ Other:

\*130~~000~~

The filing date will be the date of receipt of the items required above unless otherwise indicated. Any assertions that the items required above were submitted for are not necessary for a filing date must be by way of a petition directed to the attention of the Office of the Assistant Commissioner for Patents. Any such petition must be accompanied by the \$140.00 petition fee (37 CFR 1.17(h)). If the petition alleges that no defect exists, a request for refund of the petition fee may be included in the petition.

All of the above-noted omissions must be submitted within TWO MONTHS of the date of this notice or the application will be returned upon request or otherwise disposed of.

Direct the response to, and questions about, this notice to the undersigned, Attention: Application Branch, and include the above Serial Number and Receipt Date.

*[Signature]*  
For: Manager, Application Branch  
(703)-557-306-1202

FORM PTO-151 (REV. 4-92)

MAILED

JUN 04 1985

RECEIVED  
PATENT & TRADEMARK OFFICEUNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark OfficeAddress: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231Mary E. Sak  
c/o Fish & Neave  
875 Third Avenue  
New York, New York 10022Applicant(s): Jannis G. Stavrianopoulos  
Serial Number: et al 732,374  
Filing Date: 5-9-85  
Title: Methods And Structures  
Employing Chemically (etc)Notice to File Missing Parts of Application-  
Filing Date GrantedIf all missing parts are filed within the period set below, the total amount owed by applicant as a ☒ large entity, ☐ small entity (verified statement filed), is \$ 100.00

1. ☐ The statutory basic filing fee is: ☐ missing ☐ insufficient. Applicant as a ☐ large entity, ☐ small entity, must submit \$ \_\_\_\_\_ to complete the basic filing fee and MUST ALSO SUBMIT THE SURCHARGE AS INDICATED BELOW.
2. ☐ Additional claim fees of \$ \_\_\_\_\_ as a ☐ large entity, ☐ small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due. NO SURCHARGE IS REQUIRED FOR THIS ITEM.
3. ☐ The oath or declaration is:
  - ☐ missing.
  - ☐ does not cover items omitted at the time of execution.
 An oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Serial Number and Filing Date is required. A SURCHARGE MUST ALSO BE SUBMITTED AS INDICATED BELOW.
4. ☐ The oath or declaration does not identify the application to which it applies. An oath or declaration in compliance with 37 CFR 1.63 identifying the application by the above Serial Number and Filing Date is required. A SURCHARGE MUST ALSO BE SUBMITTED AS INDICATED BELOW.
5. ☒ The signature to the oath or declaration is: ☒ missing; ☐ a reproduction; ☐ by a person other than the inventor or a person qualified under 37 CFR 1.42, 1.43, or 1.47. A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Serial Number and Filing Date is required. A SURCHARGE MUST ALSO BE SUBMITTED AS INDICATED BELOW.
6. ☐ The signature of the following joint inventor(s) is missing from the oath or declaration: \_\_\_\_\_. Applicant(s) should provide, if possible, an oath or declaration signed by the omitted inventor(s), identifying this application by the above Serial Number and Filing Date. A SURCHARGE MUST ALSO BE SUBMITTED AS INDICATED BELOW.
7. ☐ The application was filed in a language other than English. Applicant must file a verified English translation of the application and a fee of \$20.00 under 37 CFR 1.17(k), unless this fee has already been paid. NO SURCHARGE IS REQUIRED FOR THIS ITEM.
8. ☒ Other \$100.00 surcharge is required.

A Serial Number and Filing Date have been assigned to this application. However, to avoid abandonment under 37 CFR 1.53(d), the missing parts and fees identified above in Items 1 and 3-6 must be timely provided ALONG WITH THE PAYMENT OF A SURCHARGE OF \$100.00 for large entities or \$50.00 for small entities who have filed a verified statement claiming such status. The surcharge is set forth in 37 CFR 1.16(e). Applicant is given ONE MONTH FROM THE DATE OF THIS LETTER, OR TWO MONTHS FROM THE FILING DATE of this application, WHICHEVER IS LATER, within which to file all missing parts and pay any fees. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

Direct the response to, and any questions about, this notice to the undersigned Attention: Application Branch and include the above Serial Number and Filing Date.

*L. Barkai*  
For: Patent Application Branch  
(703) 557-1552

FILE NO. ENZ-703  
DOCKETED FOR 7-85 BY CS  
REFERRED TO Mr. Sak

Stavrianopoulos et al., Serial No. 08/486,070 (Filed June 7, 1995)  
Exhibit E [Request Under 37 C.F.R. §1.48(a) To Correct Inventorship  
-- February 9, 2006]

# EXHIBIT E

Enz-7(P)(C3)



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office

Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
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DEC 12 1995

In re Application of  
Jannis G. Stavrianopoulos  
Dollie Kirtikar  
Kenneth E. Johnston  
Barbard E. Thalenfeld  
Serial No. 732,374  
Filed May 9, 1985  
For: METHODS AND STRUCTURES  
EMPLOYING CHEMICALLY-LABELLED  
PROBES

OFFICE OF ASSISTANT  
COMMISSIONER FOR PATENTS

DECISION ACCEPTING PAPERS  
FILED UNDER 37 CFR 1.47(a)

This application was filed with an unsigned "Declaration...." Receipt is acknowledged of papers deposited September 12, 1985 under 37 CFR 1.47(a) in response to a "Notice To File Missing Parts..." mailed June 4, 1985.

These papers have been reviewed and found in compliance with 35 U.S.C. 116, second paragraph, and 37 CFR 1.47(a).

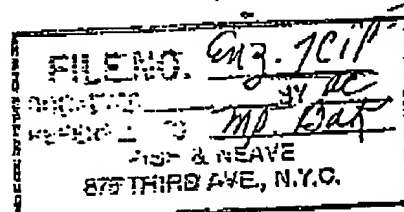
Application Division is authorized to accept the application as a 37 CFR 1.47(a) application and to mail a Filing Receipt with a filing date of May 9, 1985.

As provided in Rule 1.47(a) a notice of the filing of this application will be forwarded to omitted joint inventor at the "last known address" shown in the "Petition Under 37 CFR 1.47." Should such notice be returned undelivered, it must be returned to the Office of the Assistant Commissioner for Patents and notice of the filing of the application will be published in the Official Gazette when said application is ready for issue and is returned to this Office for review of its 1.47(a) status.

This application is not relieved of its Rule 1.47(a) status and must be returned to the Office of the Assistant Commissioner for Patents after mailing of the "Notice of Allowability" or "Notice of Allowance and Issue Fee Due" for review of its 1.47(a) status.

*Albert J. Mayer*  
Albert J. Mayer  
Special Program Examiner  
Office of the A/C for Patents

Conferee: *S. J. Emery*  
S. J. Emery



Serial No. 06/732,374

Page 2

Mary E. Bak, Esq.  
Fish & Neave  
29th Floor  
875 Third Avenue  
New York, NY 10022

UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark OfficeAddress: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

DEC 12 1985

Kenneth H. Johnston  
95 Horatio Street  
New York, NY 10014In re Application of  
Jannis G. Stavrianopoulos  
Dollie Kirtikar  
Kenneth H. Johnston  
Barbard E. Thalenfeld  
Serial No. 732,374  
Filed May 9, 1985  
For: METHODS AND STRUCTURES EMPLOYING  
CHEMICALLY-LABELLED PROBES

Dear Mr. Johnston:

You are named as a joint inventor in the above-identified United States patent application, filed under the provisions of 35 U.S.C. 116, second paragraph, United States Code, and 37 CFR 1.47(a), Rules of Practice in Patent Cases. Should a patent be granted on the application you will be designated therein as a joint inventor.

As a named inventor you are entitled to inspect any paper in the file wrapper of the application, order copies of all or any part thereof (at a prepaid cost of 30¢ per page) or make your position of record in the application. Alternatively, you may arrange to do any of the preceding through a registered patent attorney or agent presenting written authorization from you. If you care to join the application, counsel of record (see below) would presumably assist you. Joining in the application would entail the filing of an appropriate oath or declaration by you pursuant to 37 CFR 1.63.

Albert J. Mayer  
Special Program Examiner  
Office of the A/C for Patents

Conferee: S. J. Emery

Mary E. Bak, Esq.  
Fish & Neave  
29th Floor  
875 Third Avenue  
New York, NY 10022

Stavrianopoulos et al., Serial No. 08/486,070 (Filed June 7, 1995)  
Exhibit F [Request Under 37 C.F.R. §1.48(a) To Correct Inventorship  
-- February 9, 2006]

# EXHIBIT F

Enz-7(P)(C3)



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
ASSISTANT SECRETARY AND COMMISSIONER OF  
PATENTS AND TRADEMARKS  
Washington, D.C. 20231

RONALD C. FEDUS  
ENZO BIOCHEM, INC.  
60 EXECUTIVE BLVD  
FARMINGDALE, NY 11735

**COPY MAILED**

**AUG 26 1993**

SPECIAL PROGRAMS OFFICE  
AUG 25 1993

In re Application of  
STAVRIANOPOULOS ET AL  
Serial No. 07/967,646  
Filed: OCTOBER 28, 1992  
Attorney Docket No.  
ENZ-7 (C2) (P) (C2)

AUG 31 1993  
RONALD C. FEDUS

37 CFR 1.47(a) STATUS

This application was filed on OCTOBER 28, 1992 under 37 CFR 1.60 and 37 CFR 1.47. Since the present application has been corrected under Rule 1.60 to include the Rule 1.47 petition papers from a previous application the application is now complete and Rule 1.47(a) status is maintained in this application.

Application Division is authorized to accept the application under 37 CFR 1.60 and 1.47(a) and to mail a Filing Receipt with a filing date of OCTOBER 28, 1992.

As provided in Rule 1.47(a) a notice of the filing of the application will be forwarded to the omitted inventor at the last known address shown in the petition. Should such notice be returned undelivered, it should be returned to the Office of the Assistant Commissioner for Patents and notice of the filing of the application will be published in the Official Gazette when said application is ready for issue and is returned to this Office for review of the Rule 1.47 status.

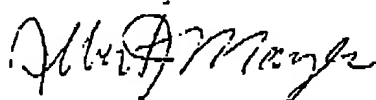
The application is not relieved of the Rule 1.47(a) status and must be returned to the Office of the Assistant Commissioner for Patents after mailing the "Notice of Allowance and Issue Fee Due" for review of the 1.47(a) status.

Serial No. 07/967,516

Page 2

After the mailing of the decision the application will be forwarded to the Office of Finance to charge counsel's deposit account no. 05-1135 the Rule 1.47 petition fee of \$130.00.

Thereafter, the application will be forwarded to the Application Branch to complete processing of the application.



Albert J. Mayer  
Special Program Examiner  
Office of the Assistant Commissioner for Patents

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